

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Kenya Crosby,)	C/A No.3:09-787-JFA-PJG
)	
Plaintiff,)	
)	
Carolina Adventure World, LLC,)	ORDER
)	
Defendants.)	
_____)	

The plaintiff, Kenya Crosby (“Crosby”), is a self-represented former employee of Carolina Adventure World, LLC. Crosby brings this matter against the defendant alleging violations of the Civil Rights Act of 1866, 42 U.S.C. § 1981. The defendant filed a motion for summary judgment on February 1, 2010 pursuant to Rule 56 of the Federal Rules of Civil Procedure. (Docket Entry 18.) Initially, Crosby was represented in this action by Richard D. Ries, Esquire. However, on February 17, 2010, Ries filed a motion to withdraw as attorney, citing a breakdown in communication between him and Crosby. (Docket Entry 20.) Crosby did not file a response in opposition to Ries’s motion. Accordingly, the court granted Ries’s unopposed motion to withdraw on March 11, 2010. (Docket Entry 22.) As Crosby was now proceeding *pro se*, the court entered an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on March 11, 2010, advising Crosby of the importance of a motion for summary judgment and of the need for her to file an adequate response. (Docket Entry 24.) Crosby was specifically advised that if she failed to respond adequately, the defendant’s motion may be granted, thereby ending her case.

Notwithstanding the specific warning and instructions set forth in the court’s Roseboro order, Crosby has failed to respond to the motion. As such, it appears to the court that she does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that Crosby shall advise the court as to whether she wishes to continue with this case and to file a response to the defendant's motion for summary judgment within fourteen (14) days from the date of this order. Crosby is further advised that if she fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

April 20, 2010
Columbia, South Carolina